



8/19/04

AUG 18 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/671,715	09/29/2003	Harry A. Dugger III	11122-030-999

CONFIRMATION NO. 9275

## FORMALITIES LETTER



\*OC000000012908179\*

20582  
JONES DAY  
51 Louisiana Avenue, N.W.  
WASHINGTON, DC 20001-2113

Date Mailed: 06/09/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/20/2004 LWNDIM1 00000005 503013 10671715

01 FC:2051

65.00 DA

*A copy of this notice **MUST** be returned with the reply.*

08/20/2004 LWNDIM1 00000006 503013 10671715

02 FC:2051 65.00 DA

Ali

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Express Mail No.: **EV452773046US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	DUGGER et al.	Confirmation No.:	9275
Serial No.:	10/671,715	Art Unit:	To Be Assigned
Filed:	September 29, 2003	Examiner:	To Be Assigned
For:	BUCCAL, POLAR, AND NON-POLAR SPRAY CONTAINING ZOLPIDEM	Attorney Docket No:	11122-030-999 (CAM: 009102-999028)

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application ("Notice"), mailed on June 9, 2004, a copy of which is enclosed, and in connection with the above-identified application, Attorneys for Applicants respectfully submit herewith: (1) a Petition for Extension of Time (in duplicate), for one month from August 9, 2004 up to and including September 9, 2004 accompanied by a provision authorizing payment of the required fee; and (2) a Declaration identifying the above non-provisional application executed by Harry A. Dugger, III and Mohammed Abd El-Shafy on August 4, 2004. It is requested that the Declaration be entered in the file of the above-identified application.

Also enclosed is a Power of Attorney By Assignee. It is requested that the Power of Attorney be entered in the file of the above-identified application.

An Assignment of the invention and the above-captioned patent application to NovaDel Pharma Inc., executed by inventors Harry A. Dugger, III and Mohammed Abd El-Shafy on August 9, 2004, is submitted for recordation on even date herewith under separate cover. A copy of the Assignment is attached as Exhibit A to the Power of Attorney.

Applicants also authorize the United States Patent and Trademark Office to charge the required fee for late filing of the Declaration, which is believed to be \$65.00

(small entity), as indicated on the Notice, to Jones Day Deposit Account No. 50-3013. A duplicate copy of this sheet is enclosed for accounting purposes.

Applicants respectfully request that the above remarks be entered into the record of the above-identified application.

Date: August 18, 2004

Respectfully submitted,

*Thomas G. Rowan*

*By: Sarah Klock (55,332)*

Thomas G. Rowan

34,419

(Reg. No.)

**Jones Day**

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